



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

APR 15 2018

Via UPS

Mr. David Craymer, V.P. Power Generation System Operations
Virginia Electric and Power Company
5000 Dominion Boulevard
Glen Allen, Virginia 23060

Re: Information Requirement Pursuant to Section 308 of the Clean Water Act

Dear Mr. Craymer:

Enclosed is an Information Requirement issued to Virginia Electric and Power Company (Dominion). The United States Environmental Protection Agency ("EPA") is authorized under Section 308 of the Clean Water Act ("CWA" or the "Act"), 33 U.S.C. § 1318, to require reports and other information necessary to carry out the purposes of the Act. You should read the Information Requirement carefully as it provides instructions and deadlines for certain information to be provided to EPA.

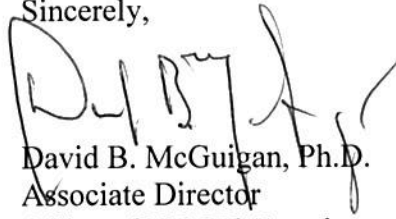
Compliance with this Information Requirement is mandatory. Failure to respond fully and truthfully to the Information Requirement in accordance with deadlines set forth in the Information Requirement, or to adequately justify such failure to respond, can result in enforcement action by EPA pursuant to Section 309 of the Act, 33 U.S.C. § 1319. EPA is authorized to seek the imposition of penalties up to \$37,500 for each day of continued noncompliance with the Information Requirement. Please be further advised that the provision of false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001.

You may assert a business confidentiality claim covering all or part of the information required herein in the manner described in 40 C.F.R. § 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If no claim of confidentiality accompanies the information required herein when it is received, EPA may make the information available to the public without further notice to you.

This Information Requirement is not subject to review by the Office of Management and Budget under the Paperwork Reduction Act of 1980, 44 U.S.C. Chapter 35 (See 5 C.F.R. § 1320.3(c)).

Should you have any questions pertaining to this matter, please contact Chad D. Harsh at (215) 814-2633.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. B. McGuigan', with a stylized flourish at the end.

David B. McGuigan, Ph.D.
Associate Director
Office of NPDES Permits and Enforcement
Water Protection Division

cc: Jerome Brooks, VADEQ

Enclosure

In The Matter of:

Virginia Electric and Power Company

Respondent

INFORMATION REQUIREMENT

Proceeding Under Section 308 of the
Clean Water Act, 33 U.S.C. § 1318

I. STATUTORY AUTHORITY

1. This Information Requirement is issued under the authority vested in the United States Environmental Protection Agency (EPA) by Section 308 of the Clean Water Act (CWA or Act), 33 U.S.C. § 1318. The Administrator of the EPA has delegated this authority to the Regional Administrator of EPA Region III who in turn has delegated it to the Director of the Water Protection Division of EPA Region III who in turn has delegated it to the Associate Director of the Office of National Pollutant Discharge Elimination System (NPDES) Permits and Enforcement. EPA hereby requires Respondents to provide information specified below.

II. STATUTORY AND REGULATORY BACKGROUND

2. EPA is authorized under Section 308 of the CWA, 33 U.S.C. § 1318, to require owners and operators of point sources to establish records and make such reports as may be necessary to carry out the purpose of the CWA, including but not limited to:
 - a. developing or assisting in the development of any effluent limitation, or other limitation, prohibition, effluent standard, pretreatment standard, or standard of performance under the CWA;
 - b. determining whether any person is in violation of any such effluent limitation, or other limitation, prohibition or effluent standard, pretreatment standard, or standard of performance;
 - c. any requirement under Section 308 of the CWA; and,
 - d. carrying out Sections 305, 311, 404, and 504 of the CWA.
3. Failure to respond as directed to a CWA Section 308 requirement is punishable under the civil and criminal provisions of Section 309 of the CWA, which provide for the

assessment of penalties, injunctive relief and imprisonment. Providing misleading or false information may subject you to civil and criminal sanctions. The information you provide may be used by EPA in administrative, civil, or criminal proceedings.

4. You may, if you desire, assert a business confidentiality claim covering all or part of the information required herein in the manner described in 40 C.F.R. Part 2, Subsection B. Information covered by such a claim will be disclosed by EPA only to the extent and by means of the procedures set forth in Subpart B, 40 C.F.R. Part 2. If no claim of confidentiality accompanies the information required herein when it is received by EPA, it may be made available to the public by EPA without further notice. You may not withhold any information from EPA on the grounds that it is confidential business information. This inquiry is not subject to review by the Office of Management and Budget under the Paperwork Reduction Act 44 U.S.C. Chapter 35. *See* C.F.R. Section 1320.3(c).

III. INSTRUCTIONS

5. Provide all documents in your possession which relate to the responses given. With respect to each document, identify the date, author, addressee, current location, and custodian and indicate on each document produced in response to this Information Requirement, or in some other reasonable manner, the number of the question or subpart to which it corresponds.
6. Provide a separate narrative response for each question contained in this Information Requirement and for each subpart of each question. Precede each answer with the corresponding number of the question to which it responds.
7. Provide the name, address, telephone number, and occupation of each person providing responses to any questions contained in this Information Requirement, as well as each person consulted in the preparation of the response on behalf of Respondents, to these demands for information.
8. For each question, identify each document consulted, examined, or referred to in the preparation of the response or that contains information responsive to the questions, and provide a true and correct copy of each document if not provided in response to another specific question.
9. If tabulation is required, provide the required information in tabular form in hard copy and also in tabular form in an electronic spreadsheet file of Microsoft Excel format.
10. To the extent information required herein was previously provided to EPA by the Respondents, there is no need to provide it again, but rather identify the information and the date it was previously provided.

11. If required information or documents are not known or are not available at the time of your response to this Information Requirement, but later become known or available, Respondents must supplement its response to EPA. Moreover, should Respondents find at any time after submission of its response that any portion is or becomes false, incomplete, or misrepresents the facts; Respondents must provide EPA with a corrected response as soon as possible.
12. All submissions provided pursuant to this Information Requirement shall be signed and dated by Respondents to include the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Signed _____
Title _____

13. Submit a copy of your response to the following individual:

Mr. Chad D. Harsh
NPDES Enforcement Branch (3WP42)
Water Protection Division
U.S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

IV. DEFINITIONS

14. The terms "document" and "documents" shall mean any format that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hard copy, including any form or format of these types. If in computer format or memory, each such document shall be provided in a translated form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include: (a) a copy of each document which is not an exact duplicate of a document which is provided; (b) each copy which has any writing, notation, or the like on it; c) drafts; (d) attachments to or enclosures with any document; and (e) every other document referred to or incorporated into each document.

15. The term "identify" with respect to a natural person means to provide that person's name, address, telephone number, title, and relationship to Respondent. The term "identify" with respect to a business entity means to provide that entity's name, address, and relationship to the Respondent, and to provide the name, address, telephone number, and title of an individual who can provide information related to, and on behalf of, the entity.
16. The term "Facility" means the Dominion Possum Point Power Station located at 19000 Possum Point Road, Dumfries, VA.
17. The term "Permit" means NPDES No. VA0002071 issued to the Facility.

V. REQUEST FOR INFORMATION

18. AND NOW, this 15th day of April, 2016, Respondent is hereby directed, pursuant to Section 308 of the Act, 33 U.S.C. Section 1318, to provide the following information and reports, and maintain records as directed:
19. In narrative form, provide a description of the business organization and operations of the Facility, including any subsidiaries. In your response include
 - a. Date and state of Incorporation
 - b. An organization chart that includes the list of officers with titles;
 - c. The location of headquarters operation for business operations and a list of local offices or any subsidiaries.
 - d. The Standard industrial classification code that you operate under; and
 - e. Number of employees
20. Provide copies of all documents associated with the planning, design and implementation of any plan related in any way to the dewatering of coal ash impoundments at the Facility, including but not limited to:
 - a. Engineering feasibility studies;
 - b. Requests for capital expenditures;
 - c. Approvals for capital expenditures; and
 - d. Internal and external correspondence and records of communication.
21. Provide a complete and detailed chronological description of any dewatering of the coal ash impoundments at the Facility, including, but not limited to Pond E, including dates, locations, volumes (including the method used to estimate volume), sampling data, and any notification to the Virginia Department of Environmental Quality of the planned dewatering activity.

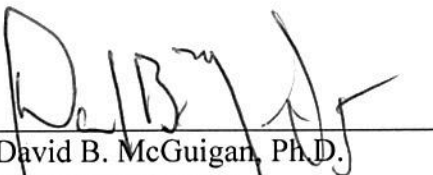
22. For Ash Pond D and the Ash Pond Toe Drain, outfall 10/S107, provide the following:
- a. All documents related to the design and construction of Ash Pond D;
 - b. A detailed description of any changes made to the configuration of outfall 10/S107;
 - c. A detailed description and characterization of the sources of water that make up the discharge of outfall 10/S107, including any water that comes in direct contact with coal ash;
 - d. All water sampling or monitoring data from outfall 10/107, immediately downstream, or source water that eventually discharges through outfall 10/107; and
 - c. All Internal and external correspondence and records of communication regarding outfall 10/S107.
23. Provide a detailed description, including all related documents and correspondence, regarding any work or improvements to the unnamed tributary to Quantico Creek (also known as the Beaver Pond), downstream of outfall 005.
24. Provide a detailed description, including all related documents and correspondence, regarding the presence of or any investigations into seeps or other discharges from coal ash impoundments at the Facility that are not specifically authorized by the NPDES Permit.
25. Provide copies of the following reports required by Part E of the Permit for the period 2010 to present:
- a. Quarterly Visual Examination of Storm Water Quality;
 - b. Storm Water Pollution Prevention Plan;
 - c. Routine Facility Inspections; and
 - d. Comprehensive Site Compliance Evaluation

VI. EFFECTIVE DATE

This INFORMATION REQUIREMENT is effective upon receipt. Information responsive to this Information Requirement shall be submitted to EPA within fifteen (15) calendar days upon receipt of this Information Requirement.

Date: _____

4/15/16



David B. McGuigan, Ph.D.
Associate Director
Office of NPDES Compliance and Enforcement
Water Protection Division

